

**BEFORE THE
MEDICAL BOARD OF CALIFORNIA
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA**

**In the Matter of the Accusation
Against:**

William M. Griffin, M.D.

File No. 800-2014-003724

**Physician's and Surgeon's
Certificate No. G 65062**

Respondent

DECISION

The attached Stipulated Settlement and Disciplinary Order is hereby adopted as the Decision and Order of the Medical Board of California, Department of Consumer Affairs, State of California.

This Decision shall become effective at 5:00 p.m. on August 24, 2018.

IT IS SO ORDERED July 25, 2018.

MEDICAL BOARD OF CALIFORNIA

By: _____

**Ronald H. Lewis, M.D., Chair
Panel A**

1 XAVIER BECERRA
Attorney General of California
2 ALEXANDRA M. ALVAREZ
Supervising Deputy Attorney General
3 JANNSEN TAN
Deputy Attorney General
4 State Bar No. 237826
1300 I Street, Suite 125
5 P.O. Box 944255
Sacramento, CA 94244-2550
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7 *Attorneys for Complainant*

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9
10 **BEFORE THE**
11 **MEDICAL BOARD OF CALIFORNIA**
12 **DEPARTMENT OF CONSUMER AFFAIRS**
STATE OF CALIFORNIA

13 In the Matter of the Accusation Against:

14 **WILLIAM M. GRIFFIN, M.D.**
15 **7965 Pool Station Road**
Angels Camp, CA 95222

16 **Physician's and Surgeon's Certificate No.**
17 **No. G 65062**

18 Respondent.

Case No. 800-2014-003724

OAH No. 2017061079

STIPULATED SETTLEMENT AND
DISCIPLINARY ORDER

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21 IT IS HEREBY STIPULATED AND AGREED by and between the parties to the above-
22 entitled proceedings that the following matters are true:

23 **PARTIES**

24 1. Kimberly Kirchmeyer (Complainant) is the Executive Director of the Medical Board
25 of California (Board). She brought this action solely in her official capacity and is represented in
26 this matter by Xavier Becerra, Attorney General of the State of California, by Jannsen Tan,
27 Deputy Attorney General.

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2. Respondent William M. Griffin, M.D. (Respondent) is represented in this proceeding by attorney John Quincy Brown III, whose address is: 455 Capitol Mall, Suite 200, Sacramento, CA 95814

3. On or about February 5, 1989, the Board issued Physician's and Surgeon's Certificate No. G 65062 to William M. Griffin, M.D. (Respondent). The Physician's and Surgeon's Certificate No. was in full force and effect at all times relevant to the charges brought in Accusation No. 800-2014-003724, and expired on April 30, 2018, unless renewed.

JURISDICTION

4. Accusation No. 800-2014-003724 was filed before the Board, and is currently pending against Respondent. The Accusation and all other statutorily required documents were properly served on Respondent on February 8, 2017. Respondent timely filed his Notice of Defense contesting the Accusation.

5. A copy of Accusation No. 800-2014-003724 is attached as Exhibit A and incorporated herein by reference.

ADVISEMENT AND WAIVERS

6. Respondent has carefully read, fully discussed with counsel, and understands the charges and allegations in Accusation No. 800-2014-003724. Respondent has also carefully read, fully discussed with counsel, and understands the effects of this Stipulated Settlement and Disciplinary Order.

7. Respondent is fully aware of his legal rights in this matter, including the right to a hearing on the charges and allegations in the Accusation; the right to confront and cross-examine the witnesses against him; the right to present evidence and to testify on his own behalf; the right to the issuance of subpoenas to compel the attendance of witnesses and the production of documents; the right to reconsideration and court review of an adverse decision; and all other rights accorded by the California Administrative Procedure Act and other applicable laws.

8. Respondent voluntarily, knowingly, and intelligently waives and gives up each and every right set forth above.

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1 this Stipulation for any reason, Respondent will assert no claim that the Board, or any member
2 thereof, was prejudiced by its/his/her review, discussion and/or consideration of this Stipulation
3 or of any matter or matters related hereto. Respondent acknowledges that the Board shall not be
4 disqualified from further action in this matter by virtue of its consideration of this matter.

5 ADDITIONAL PROVISIONS

6 14. This Stipulated Settlement and Disciplinary Order for Public Reprimand is intended
7 by the parties herein to be an integrated writing representing the complete, final and exclusive
8 embodiment of the agreements of the parties in the above-entitled matter.

9 15. The parties agree that facsimile copies of this Stipulated Settlement and Disciplinary
10 Order for Public Reprimand, including facsimile signatures of the parties, may be used in lieu of
11 original documents and signatures and, further, that facsimile copies and signatures shall have the
12 same force and effect as originals.

13 16. In consideration of the foregoing admissions and stipulations, the parties agree the
14 Board may, without further notice to or opportunity to be heard by Respondent, issue and enter
15 the following Disciplinary Order:

16 DISCIPLINARY ORDER

17 A. PUBLIC REPRIMAND

18 IT IS HEREBY ORDERED THAT Respondent William M. Griffin, M.D., as
19 holder of Physician's and Surgeon's Certificate No. G 65062, shall be and hereby is publicly
20 reprimanded pursuant to Business and Professions Code section 2227, subdivision (a)(4), as
21 follows:

22 "You mistook a 2-year-old electronic CT scan for an electronic CT scan that was taken on
23 March 21, 2011."

24 B. EDUCATION COURSE

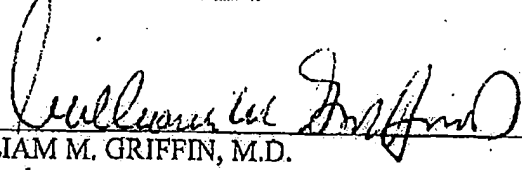
25 Within 60 calendar days of the effective date of this Decision, Respondent shall
26 submit to the Board or its designee for its prior approval educational program(s) or course(s) for
27 an additional 20 hours of additional Continuing Medical Education (CME) to be completed
28 within one year from approval of the courses by the Board. The educational program(s) or

1 course(s) shall be aimed at correcting any areas of deficient practice or knowledge and shall be
2 Category I certified. The educational program(s) or course(s) shall be at Respondent's expense
3 and shall be in addition to the Continuing Medical Education (CME) requirements for renewal of
4 licensure. Following the completion of each course, the Board or its designee may administer an
5 examination to test Respondent's knowledge of the course. Respondent shall provide proof of
6 attendance for the additional 20 hours of CME courses taken. Any violation of this condition or
7 failure to complete the courses shall be considered unprofessional conduct and grounds for further
8 disciplinary action.

9 **ACCEPTANCE**

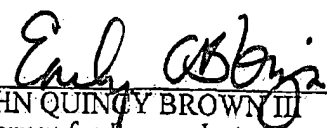
10 I have carefully read the above Stipulated Settlement and Disciplinary Order and have fully
11 discussed it with my attorney, John Quincy Brown III. I understand the stipulation and the effect
12 it will have on my Physician's and Surgeon's Certificate No. G 65062. I enter into this Stipulated
13 Settlement and Disciplinary Order voluntarily, knowingly, and intelligently, and agree to be
14 bound by the Decision and Order of the Medical Board of California.

15
16 DATED: 6/1/18


17 WILLIAM M. GRIFFIN, M.D.
Respondent

18 I have read and fully discussed with Respondent William M. Griffin, M.D. the terms and
19 conditions and other matters contained in the above Stipulated Settlement and Disciplinary Order.
20 I approve its form and content.

21 DATED: 6/1/18


22 JOHN QUINCY BROWN III
Attorney for Respondent
23 for

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ENDORSEMENT

The foregoing Stipulated Settlement and Disciplinary Order is hereby respectfully submitted for consideration by the Medical Board of California.

Dated:

6/5/2018

Respectfully submitted,

XAVIER BECERRA

Attorney General of California

ALEXANDRA M. ALVAREZ

Supervising Deputy Attorney General

JANNSEN TAN

Deputy Attorney General

Attorneys for Complainant

SA2017303386

Stipulation.rtf

Exhibit A

Accusation No. 800-2014-003724

1 XAVIER BECERRA
Attorney General of California
2 ALEXANDRA M. ALVAREZ
Supervising Deputy Attorney General
3 JANNSEN TAN
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7 *Attorneys for Complainant*

FILED
STATE OF CALIFORNIA
MEDICAL BOARD OF CALIFORNIA
SACRAMENTO Feb 28 20 17
BY *[Signature]* ANALYST

10 BEFORE THE
11 MEDICAL BOARD OF CALIFORNIA
DEPARTMENT OF CONSUMER AFFAIRS
12 STATE OF CALIFORNIA

13 In the Matter of the Accusation Against:

Case No. 800-2014-003724

14 William M. Griffin, M.D.
7965 Pool Station Road
15 Angels Camp, CA 95222

ACCUSATION

16 Physician's and Surgeon's Certificate No.
No. G 65062,

17 Respondent.
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20 Complainant alleges:

21 PARTIES

22 1. Kimberly Kirchmeyer (Complainant) brings this Accusation solely in her official
23 capacity as the Executive Director of the Medical Board of California, Department of Consumer
24 Affairs (Board).

25 2. On or about February 5, 1989, the Medical Board issued Physician's and Surgeon's
26 Certificate No. Number G 65062 to William M. Griffin, M.D. (Respondent). The Physician's and
27 Surgeon's Certificate was in full force and effect at all times relevant to the charges brought
28 herein and will expire on April 30, 2018, unless renewed.

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8. Respondent read the chest x-ray and informed the ER physician that the x-ray reflected free air under the diaphragm and recommended a CT scan of the abdomen and pelvis. The CT scan was done later that day. P-1 was admitted to the hospital.

9. Respondent read what he thought was the CT scan taken on March 21, 2011 but he did not check the date on the CT scan and was actually reading CT results from several years earlier. When he did not see free air on the CT scan as he had in the chest x-ray, he says that in attempting to resolve the apparent inconsistency, he interpreted the CT scan as showing that the air below the diaphragm was in the bowel. He reported that the CT scan was normal. The actual March 21, 2011 CT scan was not normal—it, like the x-ray, did show free air.

10. P-1 had another chest x-ray on March 22, 2011. Respondent read the x-ray and, like the x-ray from the day before, it appeared to show free air. In his report, however, he stated only "No acute abnormality of the heart or lungs. On yesterday's chest there appeared to be significant air under the diaphragm which on CT was not." Respondent claims this was because he had interpreted the apparent free air on the CT scan as being in the bowel.

11. P-1 was discharged from the hospital only to be readmitted a day later.

PRAYER

WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged, and that following the hearing, the Medical Board of California issue a decision:

1. Revoking or suspending Physician's and Surgeon's Certificate No. G 65062, issued to William M. Griffin, M.D.;

2. Revoking, suspending or denying approval of William M. Griffin, M.D.'s authority to supervise physician assistants, pursuant to section 3527 of the Code;

3. Ordering William M. Griffin, M.D., if placed on probation, to pay the Board the costs of probation monitoring; and

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4. Taking such other and further action as deemed necessary and proper.

DATED: February 28, 2017


KIMBERLY KIRCHMEYER
Executive Director
Medical Board of California
Department of Consumer Affairs
State of California
Complainant

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